

Substitute for Form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b> Application Number 10/072,238 Filing Date 02/05/2002 First Named Inventor: James B. Schrempp Art Unit 2451 Examiner Name Tang, Karen C. Attorney Docket Number 5219P005X2		
<b>Sheet</b>	<b>1 of 12</b>					
<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
		US-	4,918,730	4/17/1990	Schulze, Klaus	
		US-	5,437,050	7/25/1995	Lamb, Robert G., et al.	
		US-	5,442,645	8/15/1995	Ugon, Michel	
		US-	5,504,518	4/2/1996	Ellis, Michael D.	
		US-	5,588,119	12/24/1996	Vincent, Ronald	
		US-	5,612,974	3/18/1997	Astrachan, Paul M.	
		US-	5,613,004	3/18/1997	Cooperman, Marc, et al.	
		US-	5,638,443	6/10/1997	Stefik, Mark J.	
		US-	5,692,213	11/25/1997	Goldberg, et al.	
		US-	5,701,452	12/23/1997	Siefert	
		US-	5,710,916	1/20/1998	Barbara, Daniel, et al.	
		US-	5,724,605	3/3/1998	Wissner	
		US-	5,850,388	12/15/1998	Anderson, Craig D.	
		US-	5,930,369	7/27/1999	Cox, Ingemar J., et al.	
		US-	5,949,885	9/7/1999	Leighton, F. Thomson	
		US-	5,924,071	7/13/1999	Morgan, Oliver Frederick, et al.	
		US-	5,959,659	9/28/1999	Dokic	
		US-	5,983,176	11/9/1999	Hoffert, Eric M., et al.	
		US-	6,092,040	7/18/2000	Voran, Stephen	
		US-	6,096,961	8/1/2000	Bruti, Luigi	
		US-	6,195,693	2/27/2001	Berry, Richard Edmond	
		US-	6,243,615	6/5/2001	Neway, Justin O.	
		US-	6,243,725	6/5/2001	Hempleman, James D., et al.	
		US-	6,285,596	9/4/2001	Miura, Hirotomo, et al.	
		US-	6,330,593	12/11/2001	Roberts, Dale Tyson, et al.	
		US-				

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for Form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				<b>Complete if Known</b> Application Number 10/072,238 Filing Date 02/05/2002 First Named Inventor: James B. Schrempp Art Unit 2451 Examiner Name Tang, Karen C. Attorney Docket Number 5219P005X2		
Sheet	2 of 12					
<b>U.S. PATENT DOCUMENTS</b>						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
		US-	6,345,256	2/5/2002	Milsted, Kenneth Louis, et al.	
		US-	6,385,596	5/7/2002	Wiser, Philip R.	
		US-	6,418,421	7/9/2002	Hurtado, Marco M., et al.	
		US-	6,422,061	7/23/2002	Sunshine, Steven A.	
		US-	6,449,226	9/10/2002	Kumagai, Takashi	
		US-	6,452,874	9/17/2002	Otsuka, Satoshi, et al.	
		US-	6,477,704	11/5/2002	Cremia, Lawrence	
		US-	6,490,279	12/23/2002	Chen, et al.	
		US-	6,496,802	12/17/2002	van Zoest, Alexander T., et al.	
		US-	6,542,869	4/1/2003	Foot, Jonathan	
		US-	6,550,001	4/15/2003	Corwin, et al.	
		US-	6,550,011	4/15/2003	Sims, III, J Robert	
		US-	6,591,245	7/8/2003	Klug, John R.	
		US-	6,609,093	8/19/2003	Gopinath, et al.	
		US-	6,609,105	8/19/2003	van Zoest, Alexander T., et al.	
		US-	6,628,737	9/30/2003	Timus	
		US-	6,636,965	10/21/2003	Beyda, William J.	
		US-	6,654,757	11/25/2003	Stern, Michael R.	
		US-	6,732,180	5/4/2004	Hale, John C.	
		US-	6,771,885	8/3/2004	Agnihotri, Lalitha, et al.	
		US-	6,834,308	12/21/2004	Ikezoye, Vance E.	
		US-	6,947,909	9/20/2005	Hoke, Jr.	
		US-	6,968,337	11/22/2005	Wold, Erling H.	
		US-	7,043,536	5/9/2005	Philyaw, Jeffery Jovan	
		US-	7,058,223	6/6/2006	Cox, Ingemar J., et al.	
		US-	7,181,398	2/20/2007	Thong, et al.	

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
-----------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Based on Form PTO/SB/08B (08-03) as modified by BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP on 09/10/03.

Substitute for Form 1449/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>			Application Number	10/072,238
			Filing Date	02/05/2002
			First Named Inventor:	James B. Schrempp
			Art Unit	2451
			Examiner Name	Tang, Karen C.
Sheet	3 of 12		Attorney Docket Number	5219P005X2

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)				
		US-	7,269,556	9/11/2007	Kiss, et al.	
		US-	7,349,552	3/25/2008	Levy, et al.	
		US-	7,363,278	4/22/2008	Schmelzer, et al.	
		US-	2001/0027522	10/4/2001	Saito, Makoto	
		US-	2001/0034219	10/25/2001	Hewitt, Carl, et al.	
		US-	2001/0056430	12/27/2001	Yankowki, Carl J.	
		US-	2002/0049760	4/25/2002	Scott, Adrian C.H.	
		US-	2002/0064149	5/30/2002	Elliott, Isaac K., et al.	
		US-	2002/0152262	10/17/2002	Arkin, et al.	
		US-	2002/0156737	10/24/2002	Kahn, Robert E.	
		US-	2002/0158737	10/24/2002	Yokoyama, Ryo	
		US-	2002/0186887	12/12/2002	Rhoads	
		US-	2002/0198789	12/26/2002	Waldman, Julian D.	
		US-	2003/0018709	1/23/2003	Schrempp, James B., et al.	
		US-	2003/0023852	1/30/2003	Wold	
		US-	2003/0033321	2/13/2003	Schrempp, James B., et al.	
		US-	2003/0037010	2/20/2003	Schmelzer, et al.	
		US-	2003/0095660	5/22/2003	Lee, et al.	
		US-	2003/0191719	10/9/2003	Ginter, et al.	
		US-	2003/0195852	10/16/2003	Campbell, Geoff, et al.	
		US-	2004/0008864	1/15/2004	Watson, Stephen, et al.	
		US-	2004/0010495	1/15/2004	Kramer, et al.	
		US-	2004/0148191	7/29/2004	Hoke, Clare L. JR.	
		US-	2004/0053654	3/18/2004	Kokumai, Hitoshi, et al.	
		US-	2004/0073513	4/15/2004	Stefik, Mark J., et al.	
		US-	2004/0089142	5/13/2004	Georges, Alain, et al.	

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-766-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

[illegible]

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*\*See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.  
**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Substitute for Form 1449/PTO		<b>Complete if Known</b>			
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/072.238		
		Filing Date	02/05/2002		
		First Named Inventor:	James B. Schrempp		
		Art Unit	2451		
		Examiner Name	Tang, Karen C.		
Sheet		5 of 12	Attorney Docket Number	5219P005X2	
<b>U.S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T*
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		EP0402210 A1	6/1/1990	Bull CP8		
		EP0459046	4/12/1999	International Business Machines		
		EP0517405A2	5/22/1992	NCR International, Inc.		
		EP0689316 A2	12/27/1995	AT & T Corporation		
		EP0731446	9/11/1996	Generalmusic S.p.A.		
		EP0859503	8/19/1998	NEC Corporation		
		WO 96/36163 A3	11/14/1996	Digimarc Corporation		
		WO 98/20672 A3	5/14/1998	Monolith Co., Ltd.		
		WO 00/05650 A1	2/3/2000	Raytheon Company		
		WO 00/39954 A1	7/6/2000	Kent Ridge Digital Labs		
		WO 01/23981 A1	4/5/2001	Hilton, David		
		WO 2001/062004	8/23/2001	Audible Magic		
		WO 02/037316 A3	5/10/2002	Audible Magic		
		WO 02/082271 A1	10/17/2002	Audible Magic		
		WO 02/15035 A2	2/21/2002	Napster, Inc.		
		WO 03/007235 A1	1/23/2003	Audible Magic		
		WO 03/036496 A1	5/1/2003	Audible Magic		
		WO 03/067459 A1	8/14/2003	Audible Magic		
		WO 03/091990 A1	11/6/2003	Shazam Entertainment Ltd.		
		WO 04/044820 A1	5/27/2004	Koninklijke Philips Electronics		
		WO 04/070558 A2	8/19/2004	Audible Magic		
		WO 06/015168 A2, A3	2/9/2006	Audible Magic		

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for Form 1449/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/072,238	
		Filing Date	02/05/2002	
		First Named Inventor:	James B. Schrempf	
		Art Unit	2451	
		Examiner Name	Tang, Karen C.	
Sheet		<b>6 of 12</b>	Attorney Docket Number	5219P005X2

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		BERITELLI, F., et al., "Multilayer Chaotic Encryption for Secure Communications in packet switching Networks," IEEE, Vol. 2 August 2000, pages 1575-82.	
		Blum, T., Keislar, D., Wheaton, J., and Wold, E., "Audio Databases with Content-Based Retrieval," Proceedings of the 1995 International Joint Conference on Artificial Intelligence (IJCAI) Workshop on Intelligent Multimedia Information Retrieval, 1995.	
		Cosi, P., De Poli, G., Prandoni, P., "Timbre Characterization with Mel-Cepstrum and Neural Nets," Proceedings of the 1994 International Computer Music Conference, pp. 42-45, San Francisco, No date.	
		Feiten, B. and Gunzel, S., "Automatic Indexing of a Sound Database Using Self-Organizing Neural Nets," Computer Music Journal, 18:3, pp. 53-65, Fall 1994.	
		Fischer, S., Lienhart, R., and Effelsberg, W., "Automatic Recognition of Film Genres," Reihe Informatik, Jun. 1995, Universität Mannheim, Praktische Informatik IV, L15, 16, D-68131 Mannheim.	
		Foot, J., "A Similarity Measure for Automatic Audio Classification," Institute of Systems Science, National University of Singapore, 1977, Singapore.	
		Gonzalez, R. and Melih, K., "Content Based Retrieval of Audio," The Institute for Telecommunication Research, University of Wollongong, Australia, No date.	
		KANTH, K.V. et al. "Dimensionality Reduction or Similarity Searching in Databases," Computer Vision and Image understanding, Vol.75, Nos. 1/2 July/August 1999, pp. 59-72, Academic Press. Santa Barbara, CA, USA.	
		Keislar, D., Blum, T., Wheaton, J., and Wold, E., "Audio Analysis for Content-Based Retrieval" Proceedings of the 1995 International Computer Music Conference.	
		OHTSUKI, K., et al., "Topic extraction based on continuous speech recognition in broadcast-news speech," Proceedings IEEE Workshop on Automated Speech Recognition and Understanding, 1997, pp. 527-534, N.Y., N.Y., USA.	
		Scheirer, E., Slaney, M., "Construction and Evaluation of a Robust Multifeature Speech/Music Discriminator," pp. 1-4, Proceedings of ICASSP-97, Apr. 2-24, Munich, Germany.	
		Scheirer, E.D., "Tempo and Beat Analysis of Acoustic Musical Signals," Machine Listening Group, E15-401D MIT Media Laboratory, pp. 1-21, Aug. 8, 1997, Cambridge, MA.	

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Substitute for Form 1449/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/072,238	
		Filing Date	02/05/2002	
		First Named Inventor:	James B. Schrempf	
		Art Unit	2451	
		Examiner Name	Tang, Karen C.	
Sheet		<b>7 of 12</b>	Attorney Docket Number	5219P005X2

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		SMITH, Alan J., "Cache Memories," Computer Surveys, September 1982, University of California, Berkeley, California, Vol. 14, No. 3, pp. 1-61	
		Vertegaal, R. and Bonis, E., "ISEE: An Intuitive Sound Editing Environment," Computer Music Journal, 18:2, pp. 21-22, Summer 1994.	
		WANG, Yao, et al., "Multimedia Content Analysis," IEEE Signal Processing Magazine, pp.12-36, November 2000, IEEE Service Center, Piscataway, N.J., USA.	
		WOLD, Erling, et al., "Content Based Classification, Search and Retrieval of Audio," IEEE Multimedia, Vol. 3, No. 3, pp. 27-36, 1996 IEEE Service Center, Piscataway, N.J., USA.	
		ZAWODNY, Jeremy, D., "A C Program to Compute CDDB discs on Linux and FreeBSD," [internet] <a href="http://jeremy.zawodny.com/c/discid-linux-1.3tar.gz">http://jeremy.zawodny.com/c/discid-linux-1.3tar.gz</a> , 1 page, April 14, 2001, retrieved July 17, 2007.	
		European Patent Application No. 02752347.1, Supplementary European Search Report Dated May 8, 2006, 4 pages. (5219P004EP)	
		European Patent Application No. 02756525.8, Supplementary European Search Report Dated June 28, 2006, 4 pages. (5219P005EP)	
		European Patent Application No. 02782170, Supplementary European Search Report Dated February 7, 2007, 4 pages. (5219P005XEP)	
		European Patent Application No. 02725522.3, Supplementary European Search Report Dated May 12, 2006, 2 Pages (5219P007EP)	
		PCT Search Report, PCT/US01/50295, International Search Report dated May 14, 2003, 5 Pages. (5219P003PCT)	
		PCT Search Report, PCT/US02/10615, International Search Report dated August 7, 2002, 2 Pages. (5219P007PCT)	
		PCT Search Report, PCT/US02/33186, International Search Report dated December 16, 2002, Pages 1-4. (5219P005XPCT)	

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Substitute for Form 1449/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/072,238	
		Filing Date	02/05/2002	
		First Named Inventor:	James B. Schrempp	
		Art Unit	2451	
		Examiner Name	Tang, Karen C.	
Sheet		8 of 12	Attorney Docket Number	5219P005X2

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		PCT Search Report, PCT/US04/02748, International Search Report and Written Opinion dated August 20, 2007, 6 Pages. (5219P008PCT)	
		PCT Search Report, PCT/US05/26887, International Search Report dated May 3, 2006, 2 Pages. (5219P009PCT)	
		Audible Magic Office Action for 09/511,632 (P001) mailed 12/4/02	
		Audible Magic Office Action for 09/511,632 (P001) mailed 5/13/03	
		Audible Magic Office Action for 09/511,632 (P001) mailed 8/27/03	
		Audible Magic Office Action for 09/511,632 (P001) mailed 2/5/04	
		Audible Magic Notice of Allowance for 09/511,632 (P001) mailed 8/10/04	
		Audible Magic Notice of Allowance for 10/955,841 (P001C) mailed 9/25/06	
		Audible Magic Notice of Allowance for 10/955,841 (P001C) mailed 3/23/07	
		Audible Magic Notice of Allowance for 10/955,841 (P001C) mailed 9/11/07	
		Audible Magic Notice of Allowance for 10/955,841 (P001C) mailed 2/25/08	
		Audible Magic Office Action for 08/897,662 (P002) mailed 8/13/98	

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.  
**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./



Substitute for Form 1449/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/072,238	
		Filing Date	02/05/2002	
		First Named Inventor:	James B. Schrempp	
		Art Unit	2451	
		Examiner Name	Tang, Karen C.	
Sheet		<b>9 of 12</b>	Attorney Docket Number	5219P005X2
<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>	
		Audible Magic Notice of Allowance for 08/897,662 (P002) mailed 1/29/99		
		Audible Magic Office Action for 09/706,227 (P003) mailed 5/5/04		
		Audible Magic Office Action for 09/706,227 (P003) mailed 11/12/04		
		Audible Magic Office Action for 09/706,227 (P003) mailed 5/9/05		
		Audible Magic Office Action for 09/706,227 (P003) mailed 11/1/05		
		Audible Magic Office Action for 09/706,227 (P003) mailed 6/23/06		
		Audible Magic Office Action for 09/706,227 (P003) mailed 11/7/06		
		Audible Magic Office Action for 09/706,227 (P003) mailed 3/29/07		
		Audible Magic Office Action for 09/706,227 (P003) mailed 9/17/07		
		Audible Magic Office Action for 09/706,227 (P003) mailed 5/29/08		
		Audible Magic Office Action for 10/192,783 (P004) mailed 12/13/04		
		Audible Magic Notice of Allowance for 10/192,783 (P004) mailed 6/7/05		

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Substitute for Form 1449/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (use as many sheets as necessary)		Application Number	10/072,238	
		Filing Date	02/05/2002	
		First Named Inventor:	James B. Schrempp	
		Art Unit	2451	
		Examiner Name	Tang, Karen C.	
Sheet		10 of 12	Attorney Docket Number	5219P005X2

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Audible Magic Notice of Allowance for 11/239,543 (P004C) mailed 4/23/08	
		Audible Magic Office Action for 09/910,680 (P005) mailed 11/17/04	
		Audible Magic Office Action for 09/910,680 (P005) mailed 5/16/05	
		Audible Magic Office Action for 09/910,680 (P005) mailed 9/29/05	
		Audible Magic Office Action for 09/910,680 (P005) mailed 6/23/06	
		Audible Magic Office Action for 09/910,680 (P005) mailed 8/8/06	
		Audible Magic Office Action for 09/910,680 (P005) mailed 1/25/07	
		Audible Magic Office Action for 09/910,680 (P005) mailed 12/5/07	
		Audible Magic Office Action for 09/999,763 (P005X) mailed 4/6/05	
		Audible Magic Office Action for 09/999,763 (P005X) mailed 10/6/05	
		Audible Magic Office Action for 09/999,763 (P005X) mailed 4/7/06	
		Audible Magic Office Action for 09/999,763 (P005X) mailed 10/6/06	

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Substitute for Form 1449/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Application Number	10/072,238	
		Filing Date	02/05/2002	
		First Named Inventor:	James B. Schrempp	
		Art Unit	2451	
		Examiner Name	Tang, Karen C.	
Sheet		<b>11 of 12</b>	Attorney Docket Number	5219P005X2

### NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
		Audible Magic Office Action for 09/999,763 (P005X) mailed 3/7/07	
		Audible Magic Office Action for 09/999,763 (P005X) mailed 8/20/07	
		Audible Magic Office Action for 09/999,763 (P005X) mailed 1/7/08	
		Audible Magic Office Action for 09/999,763 (P005X) mailed 6/27/08	
		Audible Magic Office Action for 11/116,710 (P007) mailed 12/13/04	
		Audible Magic Office Action for 11/116,710 (P007) mailed 4/8/05	
		Audible Magic Office Action for 11/116,710 (P007) mailed 10/7/05	
		Audible Magic Office Action for 11/116,710 (P007) mailed 4/20/06	
		Audible Magic Office Action for 11/116,710 (P007) mailed 7/31/06	
		Audible Magic Office Action for 11/116,710 (P007) mailed 1/16/07	
		Audible Magic Notice of Allowance for 11/116,710 (P007) mailed 11/19/07	
		Audible Magic Office Action for 11/048,307 (P007D) mailed 8/22/07	

Examiner Signature	<u>/Karen Tang/</u>	Date Considered	03/16/2009
--------------------	---------------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SENT FEES OR COMPLETED FORMS TO THIS ADDRESS.**

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./

Substitute for Form 1449/PTO			<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>			Application Number	10/072,238
			Filing Date	02/05/2002
			First Named Inventor:	James B. Schrempp
			Art Unit	2451
			Examiner Name	Tang, Karen C.
Sheet		12 of 12	Attorney Docket Number	5219P005X2
<b>NON PATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		T <sup>2</sup>
		Audible Magic Office Action for 11/048,307 (P007D) mailed 5/16/08		
		Audible Magic Office Action for 11/048,308 (P007D2) mailed 2/25/08		
		Audible Magic Office Action for 11/048,338 (P007D3) mailed 4/18/07		
		Audible Magic Office Action for 11/048,338 (P007D3) mailed 10/11/07		
		Audible Magic Office Action for 11/048,338 (P007D3) mailed 1/14/08		
		Audible Magic Office Action for 11/048,338 (P007D3) mailed 7/9/08		
		Audible Magic Office Action for 12/035,599 (P007D4) mailed 11/17/08		
		Audible Magic Office Action for 10/356,318 (P008) mailed 5/24/06		
		Audible Magic Office Action for 10/356,318 (P008) mailed 11/2/06		
		Audible Magic Office Action for 10/356,318 (P008) mailed 4/11/07		
		Audible Magic Office Action for 10/356,318 (P008) mailed 11/1/07		
		Audible Magic Office Action for 10/356,318 (P008) mailed 5/9/08		
		Audible Magic Office Action for 11/191,493 (P009) mailed 7/17/08		

Examiner Signature	/Karen Tang/	Date Considered	03/16/2009
--------------------	--------------	-----------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.  
**SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /K.T./